

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ASPEN FM LLC, Janice Hirzel on behalf  
of owner

Plaintiff,

v.

Case No.: 2:19-cv-749-FtM-38MRM

BRITTANY NEWKIRK,

Defendant.

\_\_\_\_\_ /

**ORDER**<sup>1</sup>

This matter comes before the Court on review of the docket. Two weeks ago, the Court ordered Defendant Brittany Newkirk to supplement her Notice of Removal on or before November 26, 2019 and to show cause why this case should not be remanded for lack of subject matter jurisdiction. ([Doc. 9](#); [Doc. 10](#)). It also warned Newkirk that failure to respond would result in her case being remanded to state court without further notice. The deadline has past with no response from Newkirk. The Court thus remands this case.

Accordingly, it is now

**ORDERED:**

- (1) The above-captioned case is **REMANDED** to the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida.
- (2) The Clerk is **DIRECTED** to transmit a certified copy of this Order to the Clerk of the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida.

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

(3) The Clerk of Court is **DIRECTED** to terminate any pending motions and deadlines and close the case.

**DONE** and **ORDERED** in Fort Myers, Florida this 27th day of November, 2019.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record